

ENTERED

January 25, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BOBBIE LEE HAVERKAMP,

Plaintiff,

VS.

JOSEPH PENN, *et al*,

Defendants.

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CIVIL ACTION NO. 2:17-CV-18

ORDER DENYING PENDING MOTIONS WITHOUT PREJUDICE

In this lawsuit brought pursuant to 42 U.S.C. § 1983, Plaintiff complains that two medical doctors, one employed by the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID) in Huntsville and one employed by the University of Texas Medical Branch in Galveston (UTMB), have violated Plaintiff's rights under the Eighth Amendment to the United States Constitution by refusing to provide a complete treatment plan that includes gender reassignment surgery for Plaintiff's gender identity disorder (D.E. 1, 2, 9).

Plaintiff has complied with the requirement that an application for leave to proceed *in forma pauperis* be filed (D.E. 3), but has not yet complied with the requirement that an inmate trust fund data sheet be submitted to the court. Plaintiff states the trust fund data sheet has been requested (D.E. 4), and compliance is required by February 21, 2017 (D.E. 12). Plaintiff has offered to voluntarily mail 20% of deposits to Plaintiff's trust fund monthly, but unless the \$400 filing fee is prepaid, Plaintiff must submit the inmate trust fund data. An order to collect the filing fee from Plaintiff's

deposits is required pursuant to 28 U.S.C. § 1915. Plaintiff cannot be placed on a voluntary payment plan.

Pending are Plaintiff's motions to be under a quasi-suspect classification (D.E. 5), for a transfer (D.E. 6), to keep the name of the defendant (D.E. 7), and for an order appointing counsel (D.E. 8). The motions (D.E. 5, 6, 7, 8) are denied without prejudice as premature. After receipt of the trust fund data sheet, there will be a ruling on Plaintiff's application for leave to proceed *in forma pauperis*. Plaintiff may re-file the motions after service of process is ordered and Defendants have filed their responsive pleadings.

ORDERED this 25th day of January, 2017.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE